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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 PHILLIP J. LYONS,

10 Plaintiff,

11 vs.

12 STATE OF NEVADA ex rel, c/o ORTIZ, et  
13 al.,

14 Defendants.

Case No. 2:10-CV-00707-JCM-(LRL)

**ORDER**

15 The court ordered plaintiff to file an amended complaint that corrected defects in the  
16 original complaint. Order (#11). Plaintiff has submitted a motion for relief from the court's order  
17 (#12), and defendants have filed an opposition (#13).

18 Plaintiff misunderstands the court's order (#11). Plaintiff argues that he could have  
19 amended the counts that the court found defective, and that the court should not have dismissed  
20 those counts. The court did not dismiss those counts and gave plaintiff leave to file an amended  
21 complaint.

22 IT IS THEREFORE ORDERED that plaintiff's motion for relief from the court's  
23 order (#12) is **DENIED**.

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1 IT IS FURTHER ORDERED that plaintiff shall have an additional ten (10) days  
2 from the date of entry of this order to file an amended complaint in compliance with the court's  
3 order (#11).

4 DATED: September 16, 2010.

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7 JAMES C. MAHAN  
United States District Judge  
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